

## Assembly Constitutional Amendment

**No. 11**

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**Introduced by Assembly Member Gatto**

December 9, 2010

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Assembly Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 8 of Article II thereof, relating to initiatives.

### LEGISLATIVE COUNSEL'S DIGEST

ACA 11, as introduced, Gatto. Initiatives: election qualification: signatures.

Existing provisions of the California Constitution provide for the electors to propose statutes or amendments to the Constitution by initiative. An initiative measure may be proposed by presenting to the Secretary of State a petition that sets forth the text of the proposed statute or amendment to the Constitution and is certified to have been signed by electors equal in number to 5% in the case of a statute, and 8% in the case of an amendment to the Constitution, of the votes for all candidates for Governor at the last gubernatorial election.

This measure would increase the percentage requirement for signatures to 8% in the case of an initiative measure that proposes a statute.

Vote:  $\frac{2}{3}$ . Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

- 1 *Resolved by the Assembly, the Senate concurring,* That the
- 2 Legislature of the State of California at its 2011–12 Regular
- 3 Session commencing on the sixth day of December 2010,
- 4 two-thirds of the membership of each house concurring, hereby

1 proposes to the people of the State of California that the  
2 Constitution of the State be amended as follows:

3 That Section 8 of Article II thereof is amended to read:

4 SEC. 8. (a) The initiative is the power of the electors to  
5 propose statutes and amendments to the Constitution and to adopt  
6 or reject them.

7 (b) An initiative measure may be proposed by presenting to the  
8 Secretary of State a petition that sets forth the text of the proposed  
9 statute or amendment to the Constitution and is certified to have  
10 been signed by electors equal in number to ~~5 8 percent in the case~~  
11 ~~of a statute, and 8 percent in the case of an amendment to the~~  
12 ~~Constitution~~, of the votes for all candidates for Governor at the  
13 last gubernatorial election.

14 (c) The Secretary of State shall then submit the measure at the  
15 next general election held at least 131 days after it qualifies or at  
16 any special statewide election held prior to that general election.  
17 The Governor may call a special statewide election for the measure.

18 (d) An initiative measure embracing more than one subject may  
19 not be submitted to the electors or have any effect.

20 (e) An initiative measure may not include or exclude any  
21 political subdivision of the State from the application or effect of  
22 its provisions based upon approval or disapproval of the initiative  
23 measure, or based upon the casting of a specified percentage of  
24 votes in favor of the measure, by the electors of that political  
25 subdivision.

26 (f) An initiative measure may not contain alternative or  
27 cumulative provisions wherein one or more of those provisions  
28 would become law depending upon the casting of a specified  
29 percentage of votes for or against the measure.